

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4769

IN THE MATTER OF:

Served February 26, 1996

SAFE TRANSPORTATION, INC. --)
Investigation of Violation of the)
Compact, Article XI, Section 5(a),)
and Regulation No. 62)

Case No. MP-96-15

Article XI, Section 5(a) of the Compact provides that each authorized carrier shall provide safe and adequate transportation service, equipment, and facilities. On November 27, 1995, the Commission received a letter from the District of Columbia Department of Human Services, Commission on Health Care Finance (CHCF), alleging that on October 24, 1995, a CHCF inspector observed respondent transporting Medicaid recipients in a van with an expired vehicle inspection sticker.

On November 29, 1995, the Commission directed respondent to produce all vehicles for inspection by Commission staff no later than December 15, 1995. To date, respondent has produced seven of the eight vehicles it operates. Three of the seven passed inspection. The other four failed because of expired vehicle inspection stickers and have not been returned for a follow-up inspection by staff. All vehicles are titled in the name of Steve Afrane, respondent's controlling shareholder. Six of the eight are not covered by any lease on file with the Commission, in seeming violation of leasing regulation No. 62-02.

Article XIII, Section 1(c), of the Compact provides that the Commission may investigate a carrier to determine whether that carrier has violated the Compact or a regulation or order thereunder. Article XIII, Section 6(f), provides that a person who knowingly and willfully violates a provision of the Compact shall be subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any subsequent violation and that each day of the violation constitutes a separate violation.

Respondent shall be directed to show cause why a civil forfeiture should not be assessed for respondent's knowing and willful violation of the Compact, Article XI, Section 5(a), and Commission Regulation No. 62.

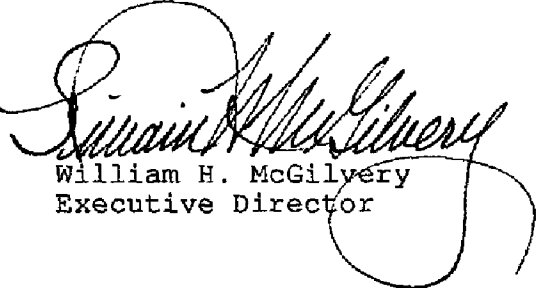
THEREFORE, IT IS ORDERED:

1. That an investigation of respondent's operations in the Washington Metropolitan Area Transit District is hereby initiated under Article XIII, Section 1, of the Compact.

2. That respondent shall have thirty days from the date of this order to show cause why civil forfeitures should not be assessed for operating with expired vehicle inspection stickers and without the necessary lease or leases on file with the Commission.

3. That respondent may file within 15 days from the date of this order a request for oral hearing, provided that said request describes the evidence to be adduced at such hearing and explains the reasons why the evidence could not be adduced without an oral hearing.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER AND LIGON:



William H. McGilvery
Executive Director

